

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: )  
Daniel D. Miller, ) Case No. 21-70021-JAD  
Debtor )  
Chapter 13  
Related to Docs. #2, 48 and 65

**STIPULATED ORDER MODIFYING PLAN**

WHEREAS, this matter is being presented to the Court regarding

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:***

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: \_\_\_\_\_
- ☐ a motion to lift stay  
as to creditor \_\_\_\_\_
- ☒ Other: Notice of Mortgage Payment Change filed November 6, 2024

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Chapter 13 Plan dated January 21, 2021
- ☐ Amended Chapter 13 Plan dated \_\_\_\_\_

is modified as follows:

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Debtor's Plan payments shall be changed from \$ 1,538.00 to \$ 2,787.00, effective December 2024; and/or the Plan term shall remain at 60 months per Order of Court Confirming Plan on Final Basis dated August 2, 2021.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: The Notice of Mortgage Payment Change dated November 6, 2024, is resolved per this Order. In addition, except with respect to the increased payment, the previously entered ORDER CONFIRMING PLAN ON FINAL BASIS at Doc No. 48 is incorporated herein.


**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

*[Remainder of Page Intentionally Left Blank]*

**SO ORDERED**, this 22nd day of November, 2024

Dated: 11/22/2024

  
\_\_\_\_\_  
Jeffery A. Deller  
United States Bankruptcy Judge

Stipulated by:

/s/ Kenneth P. Seitz, Esquire  
Counsel to Debtor

Stipulated by:

/s/ James C. Warmbrodt, Esquire  
Counsel to Chapter 13 Trustee

Stipulated by:

\_\_\_\_\_  
Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

FILED  
11/22/24 12:12 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

In re:  
Daniel D Miller  
Debtor

Case No. 21-70021-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-7  
Date Rcvd: Nov 22, 2024

User: auto  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 44

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 24, 2024:

Recip ID	Recipient Name and Address
db	+ Daniel D Miller, 2027 Kring Street, Johnstown, PA 15905-6909
cr	+ JARI, 245 Market Street, Suite 200, Johnstown, PA 15901-2910
15331269	+ Babish Auto Sales, Inc., 698 Eisenhower Blvd, Johnstown, PA 15904-4303
15331270	Cambria Somerset Radiology, Inc., P.O. Box 5052, Greensburg, PA 15601-5058
15331274	+ Conemaugh Memorial Medical Center, c/oLifePoint Health Business Services, One Tech Park Drive, Suite 3400, Johnstown, PA 15901-2508
15331275	+ Cowbird Emergency Physicians, LLC, P.O. Box 38032, Philadelphia, PA 19101-0777
15331278	+ Frankie's Hauling & Excavating, 122 Thomas Street, Hollsopple, PA 15935-7004
15331279	+ George Gvozdoch, Jr., Esquire, Gvozdoch Law Offices, 107 East Lloyd Street, P.O. Box 330, Ebensburg, PA 15931-0330
15331280	+ Gordon Food Service, 835 N. Greengate Road, Greensburg, PA 15601-6440
15332689	+ HomeBridge Financial Services, Inc., c/o McCabe, Weisberg & Conway, LLC, Suite 1400, 123 South Broad Street, Philadelphia, PA 19109-1060
15331282	+ Homebridge Financial I, 222 Chastain Meadows Court, Kennesaw, GA 30144-5820
15331284	+ Jari Growth Fund, Inc., 245 Market Street, Suite 200, Johnstown, PA 15901-2910
15331285	+ Johnstown Area Regional Industries, Inc., 245 Market Street, Suite 200, Johnstown, PA 15901-2910
15331288	+ Michael G. Comas, MD, 700 5th Street, Suite 104, Windber, PA 15963-1313
15331290	Pa Sta Empcu, P.o. Box 1006, Harrisburg, PA 17108
15331292	+ Somerset County Tax Claim Bureau, 300 N. Center Avenue, Suite 370, Somerset, PA 15501-1470
15331294	Touchstone Rentals, LLC, Dept 2597, P.O. Box 122597, Dallas, TX 75312-2597
15331298	+ Windber Medical Center, ATTN: Cashier, 600 Somerset Avenue, Windber, PA 15963-1397

TOTAL: 18

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 23 2024 00:10:11	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15331268	Email/Text: bnc@alltran.com	Nov 23 2024 00:55:00	Alltran Financial, LP, P.O. Box 722929, Houston, TX 77272-2929
15333076	Email/PDF: resurgentbknofications@resurgent.com	Nov 23 2024 01:23:27	Ashley Funding Services, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15341306	Email/Text: BKelectronicnotices@cenlar.com	Nov 23 2024 00:55:00	Cenlar, FSB, Attention: BK Department, 425 Phillips Blvd., Ewing, NJ 08618
15332457	Email/Text: Bankruptcy.RI@Citizensbank.com	Nov 23 2024 00:55:00	Citizens Bank N.A., One Citizens Bank Way, Mailstop: JCA115, Johnston, RI 02919
15331272	Email/Text: Bankruptcy.RI@Citizensbank.com	Nov 23 2024 00:55:00	Citizens Bank Na, 480 Jefferson Blvd, Warwick, RI 02886
15331273	Email/Text: Webcollex@ebn.phinsolutions.com	Nov 23 2024 00:56:02	CKs Financial, P.O. Box 2856, Chesapeake, VA

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User: auto

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15331271	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2024 00:09:51	23327-2856 Citi, 100 Citibank Drive, San Antonio, TX 78245-3214
15331276	Email/PDF: creditonebknotifications@resurgent.com	Nov 23 2024 00:09:32	Credit One Bank, P.O. Box 60500, City of Industry, CA 91716-0500
15331277	+ Email/PDF: ais.fpc.ebn@aisinfo.com	Nov 23 2024 00:09:34	First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
15368535	Email/Text: Bankruptcy@Freedommortgage.com	Nov 23 2024 00:55:00	Freedom Mortgage Corporation, 11988 Exit 5 Parkway, Building 4, Fishers, IN 46037-7939
15331281	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2024 00:10:18	Home Depot Credit Services, P.O. Box 9001010, Louisville, KY 40290-1010
15331283	Email/Text: sbse.cio.bnc.mail@irs.gov	Nov 23 2024 00:55:00	Internal Revenue Service, Centralized Insolvency Operation, P.O. Box 7346, Philadelphia, PA 19101-7346
15333077	Email/PDF: resurgentbknotifications@resurgent.com	Nov 23 2024 00:09:29	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15331286	+ Email/Text: Documentfiling@lciinc.com	Nov 23 2024 00:55:00	Lending Club, 71 Stevenson, Suite 300, San Francisco, CA 94105-2985
15331287	^ MEBN	Nov 22 2024 23:48:31	Mercy Health, P.O. Box 740405, Cincinnati, OH 45274-0405
15337498	+ Email/Text: bankruptcydpt@mcmcg.com	Nov 23 2024 00:56:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15331291	+ Email/PDF: ais.sync.ebn@aisinfo.com	Nov 23 2024 00:09:27	PayPal Credit, PO Box 105658, Atlanta, GA 30348-5658
15349091	+ Email/Text: JCAP_BNC_Notices@jcap.com	Nov 23 2024 00:56:00	Premier Bankcard, Llc, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
15331694	^ MEBN	Nov 22 2024 23:48:41	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15333834	+ Email/Text: bankruptcy@huntington.com	Nov 23 2024 00:56:00	THE HUNTINGTON NATIONAL BANK, PO BOX 89424, CLEVELAND, OH 44101-6424
15331293	+ Email/Text: bankruptcy@huntington.com	Nov 23 2024 00:56:00	The Huntington Natl Ba, Po Box 1558, Columbus, OH 43216-1558
15331295	+ Email/Text: bkelectronicnotices@usaa.com	Nov 23 2024 00:55:00	USAA Savings Bank, 10750 McDermott Freeway, San Antonio, TX 78288-1600
15351994	Email/PDF: ebn_ais@aisinfo.com	Nov 23 2024 00:10:19	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15331296	Email/Text: wfmelectronicbankruptcyntifications@verizonwireless.com	Nov 23 2024 00:54:00	Verizon Wireless, National Recovery Operations, Minneapolis, MN 55426
15331297	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Nov 23 2024 00:09:53	Wells Fargo Dealer Svc, P.o. Box 1697, Winterville, NC 28590-1697

TOTAL: 26

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		HomeBridge Financial Services, Inc.
cr	*	Freedom Mortgage Corporation, 11988 Exit 5 Parkway, Building 4, Fishers, IN 46037-7939
15331289	##+	MLR Solutions, Inc., P.O. Box 60536, King of Prussia, PA 19406-0536

TOTAL: 1 Undeliverable, 1 Duplicate, 1 Out of date forwarding address

District/off: 0315-7

User: auto

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## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 24, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 22, 2024 at the address(es) listed below:

Name	Email Address
Denise Carlon	on behalf of Creditor Freedom Mortgage Corporation dcarlon@kmlawgroup.com
Denver E. Wharton	on behalf of Creditor JARI dew@ktwillaw.com r42123@notify.bestcase.com
Kenneth P. Seitz	on behalf of Plaintiff Daniel D Miller thedebterasers@aol.com
Kenneth P. Seitz	on behalf of Debtor Daniel D Miller thedebterasers@aol.com
Mario J. Hanyon	on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com mario.hanyon@brockandscott.com
Marisa Myers Cohen	on behalf of Creditor HomeBridge Financial Services Inc. ecfmil@mwc-law.com, mcohen@mwc-law.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 8